

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DYNAMIC ENJOY CORPORATION and	:	
NADIA CHRISTOPOULOS,	:	
	:	
Plaintiffs,	:	22-CV-9909 (VSB)
	:	
- against -	:	<u>ORDER</u>
	:	
PICCOLO BY GAMBRINUS, LLC,	:	
ALEXANDER CESARIA VANDERBILT,	:	
and CANDO CAPITAL, LLC,	:	
	:	
Defendants,	:	
	:	
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VERNON S. BRODERICK, United States District Judge:

On April 26, 2024, I held a telephonic conference in this case. In accordance with my comments made during the conference, it is hereby:

ORDERED that by May 3, 2024, the parties file a joint letter containing a brief explanation of why jurisdiction and venue lie in this Court. “[A]llegations of residency alone cannot establish citizenship.” *Canedy v. Liberty Mut. Ins. Co.*, 126 F.3d 100, 102–03 (2d Cir. 1997); *see, e.g., Clarke v. Fisher-Park Lane Owner LLC*, 19-CV-6471, 2022 WL 1468432, at *3 (S.D.N.Y. May 10, 2022) (same); *Hines v. Azoth Inv. SPC Ltd.*, 21-CV-10309, 2022 WL 683996, at *2 (S.D.N.Y. Mar. 8, 2022) (“On its face the complaint provides no information about the citizenship of any of the natural persons who are parties to this case.”). If any party is a corporation, the letter shall state both the place of incorporation and the principal place of business. An LLC is a citizen of every state of which its members are citizens. *See Handelsman v. Bedford Vill. Assocs. Ltd. P’ship*, 213 F.3d 48, 51–52 (2d Cir. 2000); *Dumann Realty, LLC v. Faust*, No. 09-cv-7651, 2013 WL 30672, at *2 (S.D.N.Y. Jan. 3, 2013) (recognizing that an LLC “is

completely diverse from opposing parties only if *all* of the members of the LLC are citizens of different states than *all* opposing parties”). Therefore, if any party is a partnership, limited partnership, limited liability company or trust, the letter shall state the citizenship of each of the entity’s members, shareholders, partners and/or trustees.

IT IS FURTHER ORDERED that by May 3, 2024 Defendants file a letter informing me whether they will seek leave to file a counterclaim. If so, Defendants are directed to attach a copy of the proposed pleading to the letter.

IT IS FURTHER ORDERED that by May 8, 2024 Plaintiffs file a letter informing me whether they will object to Defendants’ counterclaim proposal.

SO ORDERED.

Dated: April 29, 2024
New York, New York

A handwritten signature in black ink, appearing to read "Vernon Broderick", written over a horizontal line.

Vernon S. Broderick
United States District Judge